



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

ARLEN L. OLSEN  
SCHMEISER, OLSEN & WATTS  
3 LEAR JET LANE  
SUITE 201  
LATHAM NY 12110

**COPY MAILED**

APR 25 2005

**OFFICE OF PETITIONS**

In re Application of :  
El-Naggar, et al. :  
Application No. 09/943,048 : DECISION  
Filed: August 30, 2001 : ON PETITION  
Attorney Docket No. MOUS-4125 :  
:

This is a decision on the petition under 37 CFR 1.137(b), filed January 31, 2005 (certificate of mailing date January 27, 2005), to revive the above-identified application.

The petition is **granted**.

This application became abandoned for failure to properly and timely reply to the final Office action mailed June 29, 2004. A amendment after final, filed October 4, 2004 (certificate of mailing date September 28, 2004), failed to place this application in prima facie condition for allowance, as stated in the January 12, 2005 Advisory Action. No extensions of time having been obtained pursuant to 37 CFR 1.136(a), this application became abandoned on September 30, 2004. The filing of the instant petition precedes the mailing of a Notice of Abandonment.

**The Notice of Appeal filed January 31, 2005 has been entered and made of record. Accordingly, the 2-month period for filing the appeal brief, in triplicate, accompanied by the fee required by law, runs from the date of this decision.**

The file is being forwarded to Technology Center A.U. 1614 to await receipt of the appeal brief.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3230.

E. Shirene Willis  
Senior Petitions Attorney  
Office of Petitions